

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on March 8, 2017 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Keith Regier, Chair (R)
Sen. Jennifer Fielder, Vice Chair (R)
Sen. Carlie Boland (D)
Sen. Jen Gross (D)
Sen. Steve Hinebaugh (R)
Sen. Jedediah Hinkle (R)
Sen. Margaret (Margie) MacDonald (D)
Sen. Diane Sands (D)
Sen. Nels Swandal (R)
Sen. Chas Vincent (R)

Members Excused: Sen. Scott Sales (R)

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Olivia Hopkins, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 231, 2/22/2017; HB 349, 2/22/2017; HB 350, 2/22/2017; SB 276, 2/23/2017

Executive Action: HB 45, HB 208, SB 239

00:00:36 Chairman Regier

HEARING ON SB 276

Opening Statement by Sponsor:

00:01:06 Sen. Roger Webb (R), SD 23, opened the hearing on SB 276, Generally revise retaliation laws related to landlords and tenants.

Proponents' Testimony:

00:03:01 John Sinrud, Montana Landlords Association (MLA)

Opponents' Testimony:

00:08:58 Amy Hall, Montana Legal Services Association (MLSA)
[EXHIBIT\(jus48a01\)](#)

00:22:33 Andy Bixler, Montana Associated Students

00:22:52 Katy Westhoff, Montana Public Interest Research Group

00:23:19 Abigail Belcher, Associated Students of The University of Montana

Informational Testimony: None

Questions from Committee Members and Responses:

00:23:46 Sen. Hinkle
00:24:05 Mr. Sinrud, MLA
00:28:18 Sen. Gross
00:28:37 Ms. Hall, MLSA
00:28:44 Sen. Fielder
00:29:41 Mr. Sinrud
00:30:46 Sen. Fielder
00:31:14 Mr. Sinrud
00:34:04 Sen. Fielder
00:34:45 Mr. Sinrud
00:35:46 Sen. MacDonald
00:36:26 Sen. Webb
00:36:51 Sen. MacDonald
00:37:34 Sen. Webb

Closing by Sponsor:

00:38:31 Sen. Webb

00:40:59 Chairman Regier

HEARING ON HB 231

Opening Statement by Sponsor:

00:41:17 Rep. Peggy Webb (R), HD 43, opened the hearing on HB 231, Revising laws regarding trespass.

[EXHIBIT\(jus48a02\)](#)

Proponents' Testimony:

00:45:04 John Sinrud, Montana Landlords Association

00:48:00 Chris Christiaens, self

Opponents' Testimony:

00:59:38 Mark Cadwallader, Montana Department of Labor and Industry

01:07:18 Mark Murphy, Montana Association of Chiefs of Police

Informational Testimony: None

Questions from Committee Members and Responses:

01:13:51 Sen. Fielder

01:14:17 Rep. Webb

01:14:19 Sen. Fielder

01:14:37 Rep. Webb

01:14:43 Sen. Swandal

01:15:01 Rep. Webb

01:15:46 Sen. Swandal

01:16:40 Rep. Webb

01:17:11 Sen. Swandal

Closing by Sponsor:

01:17:27 Rep. Webb

01:18:46 Chairman Regier

HEARING ON HB 349

Opening Statement by Sponsor:

01:19:04 Rep. Peggy Webb (R), HD 43, opened the hearing on HB 349, Revise effect of failure to sign landlord tenant rental agreement.

Proponents' Testimony:

01:19:53 John Sinrud, Montana Landlords Association (MLA)

Opponents' Testimony:

01:20:39 Amy Hall, Montana Legal Services Association (MLSA)

[EXHIBIT\(jus48a03\)](#)

01:29:57 Andy Bixler, Montana Associated Students

01:30:54 Abbigail Belcher, Associated Students of The University of Montana

01:31:42 Keith Leathers, Montana Public Interest Research Group

01:32:30 Keith Losing, self

01:33:16 Brenna Davis, Montana Public Interest Research Group

Informational Testimony: None

Questions from Committee Members and Responses:

01:33:56 Sen. Fielder

01:34:15 Katy Westhoff, Montana Public Interest Research Group

01:34:52 Sen. Fielder

01:35:05 Ms. Hall, MLSA

01:35:53 Sen. Fielder

01:36:39 Ms. Hall

01:39:52 Sen. Swandal

01:40:57 Ms. Hall

01:41:21 Sen. Swandal

01:41:36 Ms. Hall

01:42:44 Sen. Swandal

01:42:55 Ms. Hall

01:43:30 Sen. Hinkle

01:44:22 Mr. Sinrud, MLA

01:46:35 Sen. Hinkle

01:47:15 Mr. Sinrud

01:48:11 Sen. Hinkle

01:48:40 Mr. Sinrud

01:49:32 Sen. Boland

01:50:16 Mr. Sinrud

01:50:40 Sen. Fielder

01:51:10 Ms. Hall

Closing by Sponsor:

01:51:52 Rep. Webb

01:53:27 Chairman Regier

HEARING ON HB 350

Opening Statement by Sponsor:

01:53:44 Rep. Peggy Webb (R), HD 43, opened the hearing on HB 350, Generally revise default provisions in rental agreements.

Proponents' Testimony:

01:54:49 John Sinrud, Montana Landlords Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:58:33 Rep. Webb

01:58:43 Chairman Regier

01:58:59 Recess

02:14:46 Reconvened

02:15:05 Chairman Regier

EXECUTIVE ACTION ON HB 45

02:15:31 **Motion:** Sen. Fielder moved that **HB 45 BE CONCURRED IN.**

Discussion:

02:15:38 Chairman Regier

02:15:46 Julianne Burkhardt, Legislative Services Division (LSD)

02:16:02 Chairman Regier

02:16:20 Ms. Burkhardt, LSD

02:19:49 **Motion:** Sen. Fielder moved that **HB 45 BE AMENDED.**

EXHIBIT(jus48a04)

Discussion:

02:19:59 Chairman Regier

02:20:04 Sen. Swandal

02:20:12 Sen. Vincent

02:20:45 Liz Bangerter, Department of Justice (DOJ)

02:21:16 Sen. Vincent

02:21:20 Ms. Bangerter, DOJ

02:22:17 Sen. Fielder

02:23:22 Ms. Bangerter

02:23:57 Sen. Fielder

02:24:18 Sen. Gross

02:24:33 Sen. Fielder

02:24:52 Sen. Sands

02:25:26 Sen. Fielder

02:25:44 Sen. MacDonald

02:26:43 Without objection, Sen. Fielder withdrew the BE AMENDED motion. Without objection, Sen. Fielder withdrew the BE CONCURRED IN motion.

Discussion:

02:27:00 Chairman Regier

02:27:06 Sen. Vincent

02:27:53 Chairman Regier

EXECUTIVE ACTION ON HB 208

02:29:18 **Motion:** Sen. Fielder moved that **HB 208 BE CONCURRED IN.**

Discussion:

02:29:26 Julianne Burkhardt, Legislative Services Division (LSD)

02:29:34 Chairman Regier

02:30:07 **Motion:** Sen. Sands moved that **HB 208 BE AMENDED.**

EXHIBIT(jus48a05)

Discussion:

02:30:20 Sen. Sands

02:31:59 Chairman Regier

02:32:13 Sen. Sands

02:32:36 Sen. Fielder

02:32:48 Sen. Sands

02:33:56 Sen. Vincent

02:34:15 Sen. Sands

02:34:37 Sen. Swandal

02:34:45 Sen. Vincent

02:35:00 Sen. Sands

02:35:41 Sen. Vincent

02:36:30 Ms. Burkhardt, LSD

02:38:25 Sen. Vincent

02:38:40 Sen. Fielder

02:39:08 Ms. Burkhardt

02:40:29 Sen. Fielder

02:41:08 Sen. Sands

02:41:29 Sen. Fielder

02:41:46 Sen. MacDonald

02:42:21 Sen. Fielder

02:42:59 Ms. Burkhardt

02:43:28 Sen. Fielder

02:43:45 Without objection, Sen. Sands withdrew the BE AMENDED motion.

02:43:59 Without objection, Sen. Fielder withdrew the BE CONCURRED IN motion.

EXECUTIVE ACTION ON SB 239

02:44:37 **Motion:** Sen. Fielder moved that **SB 239 DO PASS**.

Discussion:

02:44:48 Chairman Regier

02:44:53 Julianne Burkhardt, Legislative Services Division (LSD)

02:45:01 Chairman Regier

02:45:33 **Motion:** Sen. Fielder moved that **SB 239 BE AMENDED**.

[EXHIBIT\(jus48a06\)](#)

Discussion:

02:45:47 Chairman Regier

02:45:56 Ms. Burkhardt, LSD

02:47:08 Chairman Regier

02:47:11 Sen. Hinkle

02:48:04 Chairman Regier

02:48:19 **Vote:** Motion carried 10-0 by voice vote.

02:48:32 **Motion:** Sen. Fielder moved that **SB 239 DO PASS AS AMENDED**.

Discussion:

02:48:40 Sen. Swandal

02:49:44 Sen. Hinkle

02:50:13 Sen. Vincent

02:51:21 Chairman Regier

02:51:56 **Vote:** Motion failed 1-10 by roll call vote with Sen. K. Regier voting aye. Sen. S. Sales voted by proxy.

02:52:48 Sen. Vincent

02:53:05 **Substitute Motion/Vote:** Sen. Sands made a substitute motion that **SB 239 BE TABLED AND THE VOTE REVERSED**. Substitute Motion carried 10-0 by voice vote. Sen. S. Sales was excused.

02:53:32 Chairman Regier

ADJOURNMENT

Adjournment: 11:55 AM

Olivia Hopkins, Secretary

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Additional Documents:

EXHIBIT([jus48aad.pdf](#))